

## **REMARKS**

Prior to the continued examination of the above-referenced application, Applicant requests the above amendment be entered. Claims 1, 3 and 5-11 were pending in the application. In this Preliminary Amendment, claim 1 was amended. Claims 1, 3 and 5-11 thus remain for consideration.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

### **§103 Rejection**

Claims 1, 3 and 5-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lagarde et al. (US Patent Number 4,690,967) in view of Llorente Hompanera (US Patent Number 6,197,359) and White et al. (US Patent Number 3,310,521) and Phipps et al. (US Patent Number 6,063,894) and Osaka Titanium Co. (JP Patent Number 73,014,145).

Applicant submits that independent claim 1 is patentable over Lagarde, Llorente Hompanera, White, Phipps, and Osaka Titanium Co.

Applicant's invention as recited in the independent claims is directed toward a process for producing a silicone mold useful for baking a food product. Independent claim 1 specifies that the mould is formed essentially from about 100 weight parts of a heat curable silicone elastomer material and cross-linking said silicone elastomer in the presence of about 0.5 to 2.0 weight parts of peroxide. Supporting disclosure for Applicant's process can be found throughout the specification. (See, e.g., paragraphs 25 to 31).

Lagarde, Llorente Hompanera, White, Phipps, and Osaka Titanium Co. do not disclose a mold formed essentially from about 100 weight parts of a heat curable silicone

elastomer material and cross-linking said silicone elastomer in the presence of about 0.5 to 2.0 weight parts of peroxide. Accordingly, Applicant believes that claim 1 is patentable over Lagarde, Llorente Hompanera, White, Phipps, and Osaka Titanium Co. on at least this basis.

Claims 3 and 5-11 depend on claim 1. Since claim 1 is believed to be patentable over Lagarde, Llorente Hompanera, White, Phipps, and Osaka Titanium Co., claims 3 and 5-11 are believed to be patentable over Lagarde, Llorente Hompanera, White, Phipps, and Osaka Titanium Co. on the basis of their dependency on claim 1.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.


#### **CONCLUSION**

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

A check in the amount of \$645 is enclosed for the Petition for Revival and RCE.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 06-0515.

Respectfully submitted,  
Stephen E. Feldman, P.C.

By:   
Stephen E Feldman  
Reg. No. 22,473  
(212) 532-8585